



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

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### FINAL AIR QUALITY OPERATING PERMIT

(Administrative Amendment to MBR-95-OPP-074, Transmittal X241868)

Issued by the Massachusetts Department of Environmental Protection ("MassDEP") pursuant to its authority under M.G.L. c. 111, §142B and §142D, 310 CMR 7.00 et seq., and in accordance with the provisions of 310 CMR 7.00: Appendix C.

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**ISSUED TO ["the Permittee"]:**

Rousselot Peabody, Inc.  
227 Washington Street  
Peabody, Massachusetts 01960

**FACILITY LOCATION:**

Rousselot Peabody, Inc.  
227 Washington Street  
Peabody, Massachusetts 01960

**NATURE OF BUSINESS:**

Gelatin Manufacturing Facility

**RESPONSIBLE OFFICIAL:**

Name: [Mr. Jonathan Schwartz](#)  
Title: [General Manager](#)  
Phone: (978) 573-3700

**INFORMATION RELIED UPON:**

Application No. MBR-95-OPP-074, MBR-95-OPP-074A, and [MBR-95-OPP-074A2](#)  
Transmittal No. 118028, X241868, and [X253982](#)

**FACILITY IDENTIFYING NUMBERS:**

SSEIS ID: 1190175  
FMF FAC NO. 131114  
FMF RO NO. 51971

**SIC CODE:**

2899

**FACILITY CONTACT PERSON:**

Name: [Mr. Scott Smith](#)  
Title: Health, Safety, Environmental Manager  
Phone: (978) 573-3774

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This Operating Permit shall expire on [June 16, 2013](#).

For the Department of Environmental Protection, Bureau of Waste Prevention

This final document copy is being provided to you electronically by the  
Department of Environmental Protection. A signed copy of this document  
is on file at the DEP office listed on the letterhead.

James E. Belsky  
Permit Chief

[December 21, 2012](#)  
Date

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# SPECIAL CONDITIONS FOR OPERATING PERMIT

## 1. PERMITTED ACTIVITIES

In accordance with the provisions of 310 CMR 7.00:Appendix C and applicable rules and regulations, the Permittee is authorized to operate air emission units as shown in Table 1 and exempt and insignificant activities as described in 310 CMR 7.00:Appendix C(5)(h) and (i). The units described in Table 1 are subject to the terms and conditions shown in Sections 4, 5, and 6 and to other terms and conditions as specified in this Permit. Emissions from the exempt activities shall be included in the total facility emissions for the emission-based portion of the fee calculation described in 310 CMR 4.00 and this Permit.

### DESCRIPTION OF FACILITY OPERATIONS

Rousselot Peabody, Inc. manufactures photographic, pharmaceutical, and food gelatin at its facility in Peabody, Massachusetts. The facility has three boilers on site generating both steam and electricity for process use and sale to the Peabody Municipal Light Plant.

Tables 3, 4, 5, 6, 8, and 9 of this Operating Permit contain the air quality requirements and regulations to which Rousselot Peabody, Inc. is subject.

## 2. EMISSION UNIT IDENTIFICATION

The following emission units (Table 1) are subject to and regulated by this Operating Permit:

Table 1 Emission Unit Identification			
EU#	DESCRIPTION OF EMISSION UNIT	EU DESIGN CAPACITY	POLLUTION CONTROL DEVICE
EU03	Combustion Engineering Boiler, D-3088-2	92.7 MMBtu per hour	None
EU04	Combustion Engineering Boiler, D-8712-2	92.7 MMBtu per hour	
EU05	Combustion Engineering Boiler, D-54908	92.7 MMBtu per hour	
EU06	Dicalcium Phosphate Production Area (Baghouse on Dryers #1 and #2)	6,000 scfm	Two Baghouses, Mikropul Corporation Model No. 1695-7-SO- TRH (or equivalent)
EU08	Lime Slaking Production Area (Lime Slaking Unit)	None	Water Spray Bar
EU09	Degreasers (2)	100 gallons per month(each unit)	None

### Table 1 Key:

EU# = Emission Unit Number  
# = number  
MMBtu = million British thermal units  
scfm = standard cubic feet per minute

### 3. IDENTIFICATION OF EXEMPT ACTIVITIES

The following have been found to be Exempt activities as provided in 310 CMR 7.00: Appendix C(5)(h):

<b>Table 2</b>	
DESCRIPTION OF CURRENT EXEMPT ACTIVITIES	REASON
The list of current exempt activities is contained in the Operating Permit application and shall be updated by the Permittee to reflect changes at the facility over the Permit term. An up-to-date copy of exempt activities list shall be kept on-site at the facility and a copy shall be submitted to MassDEP's Regional Office. Emissions from these activities shall be reported on the annual emissions statement pursuant to 310 CMR 7.12.	310 CMR 7.00: Appendix C(5)(h)

### 4. APPLICABLE REQUIREMENTS

#### A. EMISSION LIMITS AND RESTRICTIONS

The Permittee is subject to the emission limits/restrictions as contained in Table 3 below:

<b>Table 3 Emission Limits/Restrictions</b>				
EU#	FUEL / RAW MATERIAL	POLLUTANT	EMISSION LIMIT/STANDARD	APPLICABLE REGULATION AND/OR APPROVAL NO.
EU3 through EU05	Primary: No. 6 Fuel Oil ≤ 1% S by weight  Secondary: Natural Gas	NO <sub>x</sub>	≤ 0.3 lb/MMBtu <sup>1</sup>	MBR-94-COM-054 310 CMR 7.19(5)(a)2.c.i.
		CO	≤ 200 parts per million by volume, dry basis corrected to 3% O <sub>2</sub> <sup>1</sup>	MBR-94-COM-054 310 CMR 7.19(5)(d)
		PM	≤ 0.12 lb/MMBtu	310 CMR 7.02(8)(d)
		S in Fuel	≤ 0.55 lb/MMBtu	310 CMR 7.05(1)(a)1 Table 1
		Opacity	≤ 15% during normal operation based on a six-minute block average, except as provided in 310 CMR 7.06(1) (c)1.b. and 310 CMR 7.06(1)(c) 1.g.	310 CMR 7.06(1)(c)1.a.,
			≤ 27% during cold start-up, warm start-up, shutdown, burner change out, and soot blowing, , based on a six-minute block average, except for up to two six-minute block averages during each calendar quarter	310 CMR 7.06(1)(c)1.b.
			≤ 27% during shakedown activities, testing and calibrations for the purpose of improving boiler performance. When notified in writing at least five business days prior to scheduled events, the MassDEP may allow exemptions to 310 CMR 7.06(1)(c)1.a. and 310 CMR 7.06(1)(c)1.b.	310 CMR 7.06(1)(c)1.g.
EU06	Dicalcium Phosphate	PM	Maximum outlet concentration of 0.4 grains per actual cubic foot	MBR-84-IND-040 MBR-85-IND-078
EU08	Lime	PM	Maximum of 3 lb/hr, 5.3 tons per year.	MBR-89-IND-278
EU09	Non-halogenated solvents	VOC	<100 gallons per month for each unit	310 CMR 7.03 310 CMR 7.18(8)

<b>Table 3 Emission Limits/Restrictions</b>				
<b>EU#</b>	<b>FUEL / RAW MATERIAL</b>	<b>POLLUTANT</b>	<b>EMISSION LIMIT/STANDARD</b>	<b>APPLICABLE REGULATION AND/OR APPROVAL NO.</b>
Facility-wide except for EU3 through EU5	NA	Opacity	<20%, except 20 to <40% for ≤2 minutes during any one hour	310 CMR 7.06(1)(b)
		Smoke	<No. 1 of Chart <sup>2</sup> , except No. 1 to <No. 2 of Chart for ≤ six (6) minutes during any one hour	310 CMR 7.06(1)(a)

\* Key to terms:

EU#	= Emission Unit Number	S	= Sulfur
≤	= less than or equal to	lb/hr	= pounds per hour
<	= less than	PM	= Particulate Matter
>	= greater than	%	= percent
CO	= Carbon Monoxide	lb/MMBtu	= pounds per million British thermal units
O <sub>2</sub>	= Oxygen	NO <sub>x</sub>	= nitrogen oxides
1	= Compliance with emission limit(s)/standard(s) shall be based on a one-hour averaging time.		
2	= Chart means the Ringlemann Scale for grading the density of smoke, as published by the United States Bureau of Mines and as referred to in the Bureau of Mines Information Circular No. 8333, or any smoke inspection guide approved by MassDEP.		

## B. COMPLIANCE DEMONSTRATION

The Permittee is subject to the monitoring, testing, record keeping, and reporting requirements as contained in Tables 4, 5, and 6 below and 310 CMR 7.00 Appendix C (9) and (10), as well as applicable requirements contained in Table 3:

<b>Table 4</b>	
<b>EU#</b>	<b>MONITORING/TESTING REQUIREMENTS</b>
EU3 through EU05	In accordance with Approval MBR-94-COM-054, conduct Emissions Compliance Testing (Stack Testing), in accordance with 310 CMR 7.13, 310 CMR 7.19(13)(c), and 40 CFR Part 60, Appendix A, if and when requested by MassDEP or the United States Environmental Protection Agency (EPA).
	In accordance with 310 CMR 7.19(13)(d)3., and Approval MBR-94-COM-054, monitor on a daily basis: the type of fuel burned each day, the heat content of each fuel, and the total heating value of the fuel consumed for each day.
	In accordance with 310 CMR 7.19(13)(d)5., 310 CMR 7.19(13)(d)6., and Approval MBR-94-COM-054, monitor nitrogen content of each new shipment of No. 6 fuel oil received, by one of the following methods:
	<ol style="list-style-type: none"> <li>Obtain a certification from the fuel oil supplier that includes the following information: <ol style="list-style-type: none"> <li>the name of the fuel oil supplier;</li> <li>the nitrogen content* of each fuel oil shipment; and</li> <li>the location where the sample was drawn for analysis to determine the nitrogen content of the fuel oil, specifically including whether the fuel oil was sampled as delivered to the affected facility, or whether the sample was drawn from fuel oil in storage at the fuel oil supplier's or fuel oil refiner's facility or another location.</li> </ol> </li> <li>Sample and analyze the fuel oil for nitrogen content* immediately after the fuel oil tank is filled and before any fuel oil is combusted.</li> </ol>
	* The shipment certification or analysis of nitrogen content of the fuel oil shall be in accordance with applicable American Society for Testing Materials (ASTM) test methods, or any other method approved by MassDEP or EPA.

<b>Table 4</b>	
<b>EU#</b>	<b>MONITORING/TESTING REQUIREMENTS</b>
EU3 through EU05	In accordance with 310 CMR 7.04(2)(a), maintain a smoke density indicator and recorder that is properly maintained in an accurate operating condition, operates continuously and is equipped with an audible alarm to signal the need for combustion equipment adjustment or repair when the smoke density is equal to or greater than No. 1 of the Chart.
	In accordance with 310 CMR 7.06(1)(c) and the Plan of Good Operating Practices, as a minimum, calibrate the smoke density indicator system at least annually in accordance with the manufacturer's recommended practices.
	In accordance with 310 CMR 7.06(1)(c) and the Plan of Good Operating Practices, the smoke density indicator, audible alarm and recorder system is used to determine compliance status with visible emission limits and to initiate corrective actions if the opacity level is in excess of the expected level, as defined in the Plan of Good Operating Practices, for: normal operation, startup, shutdown, burner change out, and soot blowing or testing/optimization.
	In the event a smoke density indicator and recorder is out-of-service for more than two business days while a boiler is operating and firing oil, then a Method 9 Test shall be conducted at least once per day during normal operations and once per day during any scheduled soot blowing, startup, and/or shutdown events until the day that the smoke density indicator and recorder is placed back in service.
	In accordance with 310 CMR 7.06(1)(c), and the Plan of Good Operating Procedures, the opacity levels during normal operation, soot blowing, burner change out, start-up and shutdown, as applicable, shall be determined based upon a six-minute average determined by visible emission monitors per 310 CMR 7.06(1)(c)1.d.iii.
	In accordance with 310 CMR 7.04(4)(a), inspect and maintain fuel utilization facility in accordance with manufacturer's recommendations, and test for efficient operation at least annually.
	Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2., monitor unit operations to ensure continuous compliance with PM emission limits.
	Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2., monitor sulfur content of each new shipment of fuel received. Compliance with 310 CMR 7.05(1)(a)1. for sulfur content of the fuel can be demonstrated through fuel analysis. The analysis of sulfur content of the fuel shall be in accordance with the applicable ASTM test methods or any other method approved by MassDEP and EPA. Fuel sulfur information may be provided by fuel suppliers.
	In accordance with Approval MBR-94-COM-054, maintain all fuel flow meters in good working order at all times so that fuel consumption values can be accurately reported on a daily basis.
EU06, EU08	Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2., monitor unit operations to ensure continuous compliance with PM emission limits.
	In accordance with Approval Nos. MBR-84-IND-040, MBR-85-IND-078, and MBR-89-IND-278, demonstrate compliance with emission limits if and when requested by MassDEP or EPA.
	In accordance with Approval Nos. MBR-84-IND-040, MBR-85-IND-078, and MBR-89-IND-278, monitor operations such that should any nuisance conditions be generated by the operation of this facility, then appropriate actions shall be taken to immediately abate the nuisance conditions (State only requirement).
EU09	Monitor facility operations to demonstrate compliance with the requirements of 310 CMR 7.18(8)(a)[7.03(8)] incorporated herein by reference.

<b>Table 4</b>	
<b>EU#</b>	<b>MONITORING/TESTING REQUIREMENTS</b>
Facility Wide	In accordance with 310 CMR 7.13(1), any person owning, leasing, operating or controlling a facility for which MassDEP has determined that stack testing is necessary to ascertain compliance with MassDEP's regulations or design approval provisos shall cause such stack testing:
	(a) to be conducted by a person knowledgeable in stack testing,
	(b) to be conducted in accordance with procedures contained in a test protocol which has been approved by MassDEP,
	(c) to be conducted in the presence of a representative of MassDEP when such is deemed necessary and,
	(d) to be summarized and submitted to MassDEP with analysis and report within such time as agreed to in the approved test protocol.
	Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2., conduct any other testing or testing methodology if and when requested by MassDEP or EPA.
	Monitor operations such that information may be compiled for the annual preparation of a Source Registration/Emission Statement Form as required by 310 CMR 7.12.
	Inspect and maintain each fuel utilization facility, having an energy input capacity of $\geq 3$ MMBtu/hr in accordance with manufacturer's recommendations and test for efficient operation at least once in each calendar year as provided in 310 CMR 7.04(4)(a) incorporated herein by reference.

<b>Table 5</b>	
<b>EU#</b>	<b>RECORD KEEPING REQUIREMENTS</b>
EU3 through EU05	Maintain the test results of any Emissions Compliance Testing (stack testing) performed in accordance with Approval MBR-94-COM-054, 310 CMR 7.13, 310 CMR 7.19(13)(c), and 40 CFR Part 60, Appendix A. Maintain the test results of any other testing requested by MassDEP or EPA.
	In accordance with 310 CMR 7.19(13)(d)3. and Approval MBR-94-COM-054, record on a daily basis: type fuel(s) burned each day, heat content of each fuel, and the total heating value of fuel consumed for each day.
	In accordance with 310 CMR 7.19(13)(d)7., maintain records of fuel oil supplier certifications or fuel oil analysis on site for a period of five years.
	In accordance with 310 CMR 7.19(13)(d)8. and Approval MBR-94-COM-054, all records required by 310 CMR 7.19(13)(d), including computer retained and generated data, shall be kept in a permanently bound log book or any other form acceptable to MassDEP.
	In accordance with Approval MBR-94-COM-054, maintain copy of Standard Operating and Maintenance Procedures (SOMP) for the subject units on-site at all times.
	In accordance with 310 CMR 7.06(1)(c), maintain records of the information specified in Table 5. The calendar date for each record shall be clearly identified on the record. All records shall be maintained for a period of at least five (5) years as required in 310 CMR 7.00: Appendix C(10)(b).
	In accordance with 310 CMR 7.06(1)(c) and the Plan of Good Operating Practices, maintain smoke density indicator recorder records. All records shall be maintained for a period of at least five (5) years as required in 310 CMR 7.00: Appendix C(10)(b).
	In accordance with 310 CMR 7.06(1)(c) and the Plan of Good Operating Practices, maintain all 40 CFR 60 Appendix A Method 9 records. All records shall be maintained for a period of at least five (5) years as required in 310 CMR 7.00: Appendix C(10)(b).
	In accordance with 310 CMR 7.06(1)(c) and the Plan of Good Operating Practices, maintain a copy of the Plan of Good Operating Practices approved by MassDEP.



<b>Table 5</b>	
<b>EU#</b>	<b>RECORD KEEPING REQUIREMENTS</b>
EU3 through EU05	In accordance with 310 CMR 7.06(1)(c), maintain a logbook or other permanent record that identifies the calendar date, start time, and end time for all smoke density indicator system calibrations.
	In accordance with 310 CMR 7.06(1)(c), maintain a logbook or other permanent record that identifies the calendar date, start time, and end time for any period of malfunction of the smoke density indicator, recorder and alarm system.
	In accordance with 310 CMR 7.06(1)(c), maintain a logbook or other permanent record that identifies the calendar date, start time, and end time for each start-up, shutdown, burner change out, soot blowing, and testing optimization.
	In accordance with 310 CMR 7.06(1)(c), maintain a logbook or other permanent record that identifies the calendar date, start time, end time and a description of all maintenance performed on the smoke density indicator, recorder and audible alarm system.
	In accordance with 310 CMR 7.06(1)(c), maintain a logbook or other permanent record that identifies the calendar date, start time, end time and a description of the operating conditions for each event when the smoke density indicator, recorder and alarm system or Method 9 observations identifies that the opacity exceeded the level for the specific operating condition identified in Table 3.
	In accordance with 310 CMR 7.06(1)(c), maintain a copy of the certification of the qualified observer for each 40 CFR 60, Appendix A, Method 9 observation.
	In accordance with 310 CMR 7.04(4)(a), maintain results of fuel utilization facility inspection, maintenance, and testing and the date upon which it was performed posted conspicuously on or near the facility.
	Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2., record unit parameters, as necessary, to ensure continuous compliance with PM emission limits.
EU09	Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2., maintain fuel analysis results used to demonstrate compliance with fuel sulfur content requirements.
	In accordance with 310 CMR 7.18(8)(g) herein, incorporated by reference, maintain records sufficient to demonstrate compliance. Said records shall include at a minimum, the following; (1) identity, quantity, formulation and density of the solvent used; (2) quantity, formulation and density of all waste solvent generated, and; (3) actual operational and any appurtenant emission capture and control equipment.
	In accordance with 310 CMR 7.03(6), prepare and maintain records sufficient to demonstrate compliance with the solvent use rates identified in Table 3.
Facility-wide	Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(d), maintain the test results of any other testing or testing methodology required by MassDEP or EPA.
	Maintain records such that information may be compiled for the annual preparation of a Source Registration/Emission Statement Form as required by 310 CMR 7.12.
	Keep copies of Source Registration/Emission Statement Forms submitted annually to MassDEP as required by 310 CMR 7.12.
	In accordance with 310 CMR 7.00: Appendix C(10)(b), maintain records of all monitoring data and supporting information required by this Operating Permit on site for five (5) years from the date of the monitoring sample, measurement, report or initial Operating Permit application.
	The results of inspection, maintenance, and testing and the date upon which it was performed shall be recorded and posted conspicuously on or near each emission unit, as provided in 310 CMR 7.04(4)(a) incorporated herein by reference.



<b>Table 6 Reporting Requirements</b>	
<b>EU#</b>	<b>REPORTING REQUIREMENTS</b>
EU3 through EU05	If and when MassDEP or EPA requests Emissions Compliance Testing (Stack Testing) to be conducted as per 310 CMR 7.13, and 40 CFR Part 60, Appendix A, then, in accordance with 310 CMR 7.19(13)(c) and Approval MBR-94-COM-054:
	(a) submit a pretest protocol for the required Emissions Compliance Test (stack test) for review and written MassDEP approval at least 60 days prior to the anticipated date of testing,
	(b) include in the pretest protocol a description of sampling point locations, sampling equipment, sampling and analytical procedures, and the operating conditions for the required Emissions Compliance Testing, and
	(c) submit the Emissions Compliance Testing report for review and written MassDEP approval within 60 days of the completion of the Emissions Compliance Testing.
EU3 through EU05	In accordance with 310 CMR 7.06(1)(c), notify MassDEP, in writing, of any visible emissions monitoring that indicates the percent opacity to be in excess of that defined in Table 3. The notice shall be given within one business day. Within three business days the Permittee shall submit: a copy of the smoke density indicator records, an explanation for the elevated opacity, and any proposed revisions to the Plan of Good Operating Practices which will be implemented so as to prevent a recurrence of said exceedance in the future.
	In accordance with 310 CMR 7.06(1)(c)1.g., when notified in writing at least five business days prior to scheduled events, the MassDEP may allow exemptions to 310 CMR 7.06(1)(c)1.a. and 310 CMR 7.06(1)(c)1.b. for the purpose of improving boiler performance. Such notification shall include a brief description of the activity, its start time and anticipated end time. The Mass DEP may allow a shorter notification period upon request. The MassDEP may deny or limit the frequency of such activities.
	In accordance with 310 CMR 7.19(13)(d)9 and Approval MBR-94-COM-054, submit compliance records within ten (10) days of written request by MassDEP or EPA.
Facility-wide	In accordance with 310 CMR 7.00: Appendix C (10)(d), submit, upon request, the test results of any other testing or testing methodology required by MassDEP or EPA.
	Submit a Source Registration/Emission Statement form to MassDEP on an annual basis in accordance with 310 CMR 7.12.
	Submit by January 30 and July 30 for the previous six months respectively, a summary of all monitoring data and related supporting information to MassDEP as required by 310 CMR 7.00: Appendix C(10)(c).
	Submit Annual Compliance report to MassDEP and EPA as required by General Condition 10. All required reports must be certified by a responsible official as provided in 310 CMR 7.00: Appendix C(10)(h)
	Promptly report to MassDEP all instances of deviations from Permit requirements which are not otherwise reported to MassDEP by telephone or fax, within three days of discovery of such deviation, as provided in 310 CMR 7.00: Appendix C (10)(f). (See General Condition 25).
	All required reports must be certified by a responsible official as provided in 310 CMR 7.00: Appendix C(10)(h).

#### C. GENERAL APPLICABLE REQUIREMENTS

The Permittee shall comply with all generally applicable requirements contained in 310 CMR 7.00 et. seq. and 310 CMR 8.00 et. seq., when subject.

#### D. REQUIREMENTS NOT CURRENTLY APPLICABLE

<b>Table 7 Requirements Not Currently Applicable</b>	
<b>Regulation</b>	<b>Description</b>
310 CMR 7.07	Open Burning
310 CMR 7.16	Reduction Of Single Occupant Commuter Vehicle Use
310 CMR 7.25	Consumer and Commercial Products
40 CFR Part 64	Compliance Assurance Monitoring Rule
40 CFR Part 82	Protection of Stratospheric Ozone
42 U.S.C. 7401, §112	Hazardous Air Pollutants
42 U.S.C. 7401 § 112(r)	Accidental Release Prevention Requirements: Risk Management under Clean Air Act 112(r)(7)

#### 5. SPECIAL TERMS AND CONDITIONS

The Permittee is subject to the following special terms and conditions that are not contained in Tables 3, 4, 5, and 6:

1. That should a condition of air pollution be generated by the operation of this facility, then appropriate steps will immediately be taken by Eastman Gelatine to abate said condition. (State Only, 310 CMR 7.01(1)).
2. In accordance with Approval No. MBR-85-IND-078, maintain a minimum of 12 replacement bags on site at all times for the baghouse servicing EU06.
3. The Permittee operates two (2) parts cleaners (EU09) at the Peabody facility. In accordance with 310 CMR 7.18(8) each unit must comply with the following requirements:
  - a. each cold cleaning degreaser is designed with a cover which is designed to be operated with one hand; and
  - b. each cold cleaning degreaser is equipped to drain clean parts so that, while draining, the cleaned parts are enclosed for 15 seconds or until dripping ceases, whichever is longer; and
  - c. each cold cleaning degreaser is designed with:
    - i) a freeboard ratio of 0.75 or greater, or
    - ii) a water blanket (only if the solvent used is insoluble in and heavier than water); or
    - iii) an equivalent system of air pollution control which has been approved by MassDEP and EPA; and
  - d. the covers of each cold cleaning degreaser are closed whenever parts are not being handled in the degreaser, or when the degreaser is not in use; and
  - e. the drafts across the top of each cold cleaning degreaser are minimized such that when the cover is open the degreaser is not exposed to drafts greater than 40 meters per minute (1.5 miles per hour), as measured between one and two meters up wind at the same elevation as the tank lip; and
  - f. any leaks are repaired immediately, or the degreaser is shut down.

4. Per data as supplied through the Permittee's Operating Permit application (MBR-95-OPP-074, Transmittal No. 118028), all EUs shall continue to emit products of combustion through five stacks having the following parameters:

**Stack 1: EU03**

Stack Height	162 feet
Stack Exit Diameter	7 feet
Stack Material	Refractory Lined

**Stack 2: EU04**

Stack Height	137 feet
Stack Exit Diameter	5 feet
Stack Material	Metal

**Stack 3: EU05**

Stack Height	137 feet
Stack Exit Diameter	5 feet
Stack Material	Metal

**Stack 4: EU06**

Stack Height	37 feet
Stack Exit Diameter	1.3 feet
Stack Material	Metal

## 6. ALTERNATIVE OPERATING SCENARIOS

The Permittee did not request alternative operating scenarios in its Operating Permit application.

## 7. EMISSIONS TRADING

- (a) Intra-facility emissions trading

The facility did not request intra-facility emissions trading in its Operating Permit application.

Pursuant to 310 CMR 7.00: Appendix C(7)(b), emission trades, provided for in this Permit, may be implemented provided the Permittee notifies The United States Environmental Protection Agency (EPA) and MassDEP at least fifteen (15) days in advance of the proposed changes and the Permittee provides the information required in 310 CMR 7.00: Appendix C(7)(b)3.

Any intra-facility change that does not qualify pursuant to 310 CMR 7.00: Appendix C(7)(b)2 is required to be submitted to MassDEP pursuant to 310 CMR 7.00: Appendix B.

(b) Inter-facility emissions trading

The Permittee did not request inter-facility emissions trading in its Operating Permit Application.

All increases in emissions due to emissions trading, must be authorized under the applicable requirements of 310 CMR 7.00: Appendix B (the "Emissions Trading Program") and the 42 U.S.C. §7401 et seq. (the "Act"), and provided for in this Permit.

## **8. COMPLIANCE SCHEDULE**

The Permittee has indicated that the facility is in compliance and shall remain in compliance with the applicable requirements contained in Sections 4 and 5.

In addition, the Permittee shall comply with any applicable regulation that becomes effective during the Permit term.

## GENERAL CONDITIONS FOR OPERATING PERMIT

### 9. FEES

The Permittee has paid the permit application processing fee and shall pay the annual compliance fee in accordance with the fee schedule pursuant to 310 CMR 4.00.

### 10. COMPLIANCE CERTIFICATION

All documents submitted to MassDEP shall contain certification by the responsible official of truth, accuracy, and completeness. Such certification shall be in compliance with 310 CMR 7.01(2) and contain the following language:

"I certify that I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment."

The "Operating Permit Report Kit" contains instructions and the Annual Compliance Report and Certification and the Semi-Annual Monitoring Summary Report and Certification. The "Operating Permit Reporting Kit" is available to the Permittee via MassDEP's web site, <http://www.mass.gov/dep/air/approvals/aqforms.htm#op>.

#### (a) Annual Compliance Report and Certification

The Responsible Official shall certify, annually for the calendar year, that the facility is in compliance with the requirements of this permit. The report shall be postmarked or delivered by January 30 to MassDEP and to the Regional Administrator, U.S. Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- i. the terms and conditions of the permit that are the basis of the certification;
- ii. the current compliance status and whether compliance was continuous or intermittent during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
- iv. any additional information required by MassDEP to determine the compliance status of the source.

#### (b) Semi-Annual Monitoring Summary Report and Certification

The Responsible Official shall certify, semi-annually on the calendar year, that the facility is in compliance with the requirements of this permit. The report shall be postmarked or delivered by January 30 and July 30 to MassDEP. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- i. the terms and conditions of the permit that are the basis of the certification;
- ii. the current compliance status during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
- iv. whether there were any deviations during the reporting period;
- v. if there are any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
- vi. whether deviations in the reporting period were previously reported;
- vii. if there are any outstanding deviations at the time of reporting, the proposed date of return to compliance;
- viii. if the deviations in the reporting period have returned to compliance and date of such return to compliance; and
- ix. any additional information required by MassDEP to determine the compliance status of the source.

## **11. NONCOMPLIANCE**

Any noncompliance with a permit condition constitutes a violation of 310 CMR 7.00: Appendix C and the Clean Air Act and is grounds for enforcement action, for permit termination or revocation; or for denial of an operating permit renewal application by MassDEP and/or EPA. Noncompliance may also be grounds for assessment of administrative or civil penalties under M.G.L. c.21A, §16 and 310 CMR 5.00 and civil penalties under M.G.L. c.111, §142A and 142B.

This permit does not relieve the Permittee from the obligation to comply with any other provisions of 310 CMR 7.00 or the Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this permit.

## **12. PERMIT SHIELD**

- (a) This facility has a permit shield provided that it operates in compliance with the terms and conditions of this permit. Compliance with the terms and conditions of this permit shall be deemed compliance with all applicable requirements specifically identified in Sections 4, 5, 6, and 7, for the emission units as described in the Permittee's application and as identified in this permit.

Where there is a conflict between the terms and conditions of this permit and any earlier permit, the terms and conditions of this permit control.

- (b) MassDEP has determined that the Permittee is not currently subject to the requirements listed in Section 4, Table 7.
- (c) Nothing in this permit shall alter or affect the following:
- (i) the liability of the source for any violation of applicable requirements prior to or at the time of permit issuance.
  - (ii) the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or
  - (iii) the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

### **13. ENFORCEMENT**

The following regulations found at 310 CMR 7.02(8)(h) Table 6, for wood only, 7.02(8)(i), 7.04(9), 7.05(8), 7.09 (odor), 7.10 (noise), 7.18(1)(b), 7.21, 7.22 and any condition(s) designated as "state only" are not federally enforceable because they are not required under the Act or under any of its applicable requirements. These regulations and conditions are not enforceable by the EPA, or citizens.

All other terms and conditions contained in this permit, including any provisions designed to limit a facility's potential to emit, are enforceable by MassDEP, EPA and citizens as defined under the Act.

A Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

### **14. PERMIT TERM**

This permit shall expire on the date specified on the cover page of this permit, which shall not be later than the date five (5) years after the issuance of this permit.

Permit expiration terminates the Permittee's right to operate the facility's emission units, control equipment or associated equipment covered by this permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

### **15. PERMIT RENEWAL**

Upon MassDEP's receipt of a complete and timely application for renewal, this facility may continue to operate subject to final action by MassDEP on the renewal application.

In the event MassDEP has not taken final action on the operating permit renewal application prior to this permit's expiration date, this permit shall remain in effect until MassDEP takes final action on the renewal application, provided that a timely and complete renewal application has been submitted in accordance with 310 CMR 7.00: Appendix C(13).

### **16. REOPENING FOR CAUSE**

This permit may be modified, revoked, reopened, and reissued, or terminated for cause by MassDEP and/or EPA. The responsible official of the facility may request that MassDEP terminate the facility's operating permit for cause. MassDEP will reopen and amend this permit in accordance with the conditions and procedures under 310 CMR 7.00: Appendix C(14).

The filing of a request by the Permittee for an operating permit revision, revocation and reissuance, or termination, or a notification of a planned change or anticipated noncompliance does not stay any operating permit condition.



## **17. DUTY TO PROVIDE INFORMATION**

Upon MassDEP's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the Permittee shall furnish to MassDEP copies of records that the Permittee is required to retain by this permit.

## **18. DUTY TO SUPPLEMENT**

The Permittee, upon becoming aware that any relevant facts were omitted or that incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. The Permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after the date a complete renewal application was submitted but prior to release of a draft permit.

The Permittee shall promptly, on discovery, report to MassDEP a material error or omission in any records, reports, plans, or other documents previously provided to MassDEP.

## **19. TRANSFER OF OWNERSHIP OR OPERATION**

This permit is not transferable by the Permittee unless done in accordance with 310 CMR 7.00: Appendix C(8)(a). A change in ownership or operation control is considered an administrative permit amendment if no other change in the permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, liability between current and new Permittee has been submitted to MassDEP.

## **20. PROPERTY RIGHTS**

This permit does not convey any property rights of any sort, or any exclusive privilege.

## **21. INSPECTION AND ENTRY**

Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow authorized representatives of MassDEP and EPA to perform the following:

- (a) Enter upon the Permittee's premises where an operating permit source activity is located or emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (d) Sample or monitor at reasonable times, any substances or parameters for the purpose of assuring compliance with the operating permit or applicable requirements as per 310 CMR 7.00 Appendix C.(3)(g)12.

## **22. PERMIT AVAILABILITY**

The Permittee shall have available at the facility at all times a copy of the materials listed under 310 CMR 7.00: Appendix C(10)(e) and shall provide a copy of the permit, including any amendments or attachments thereto, upon request by MassDEP or EPA.

## **23. SEVERABILITY CLAUSE**

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

## **24. EMERGENCY CONDITIONS**

The Permittee shall be shielded from enforcement action brought for noncompliance with technology based<sup>1</sup> emission limitations specified in this permit as a result of an emergency<sup>2</sup>. In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (a) an emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- (b) the permitted facility was at the time being properly operated;
- (c) during the period of the emergency the Permittee took all reasonable steps as expeditiously as possible to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and
- (d) the Permittee submitted notice of the emergency to MassDEP within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

If an emergency episode requires immediate notification to the Bureau of Waste Site Cleanup/Emergency Response, immediate notification to the appropriate parties should be made as required by law.

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<sup>1</sup> Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

<sup>2</sup> An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.

## **25. PERMIT DEVIATION**

Deviations are instances where any permit condition is violated and not reported as an emergency pursuant to section 24 of this permit. Reporting a permit deviation is not an affirmative defense for action brought for noncompliance. Any reporting requirements listed in Table 6. of this Operating Permit shall supercede the following deviation reporting requirements, if applicable.

The Permittee shall report to MassDEP's Regional Bureau of Waste Prevention the following deviations from permit requirements, by telephone or fax, within three (3) days of discovery of such deviation:

- Unpermitted pollutant releases, excess emissions or opacity exceedances measured directly by CEMS/COMS, by EPA reference methods or by other credible evidence, which are ten percent (10%) or more above the emission limit.
- Exceedances of parameter limits established by your Operating Permit or other Approvals, where the parameter limit is identified by the permit or Approval as surrogate for an emission limit.
- Exceedances of permit operational limitations directly correlated to excess emissions.
- Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment as required by statutes, regulations, your Operating Permit, or other Approvals.
- Failure to perform QA/QC measures as required by your Operating Permit or other Approvals for instruments that directly monitor compliance.

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the Massachusetts Department of Environmental Protection Bureau of Waste Prevention Air Operating Permit Reporting Kit, which is available to the Permittee via MassDEP's web site, <http://www.mass.gov/dep/air/approvals/aqforms.htm#op>. This report shall include the deviation, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and the corrective actions or preventative measures taken.

Deviations that were reported by telephone or fax within 3 days of discovery, said deviations shall also be submitted in writing via the Operating Permit Deviation Report to the regional Bureau of Waste Prevention within ten (10) days of discovery. For deviations which do not require 3 day verbal notification, follow-up reporting requirements are satisfied by the documentation required in the aforementioned Semi-Annual Monitoring Summary and Certification.

Opacity excursions >27% that qualify as allowed under 310 CMR 7.06(1)(c)1.b. and 310 CMR 7.06(1)(c)1.c. shall not be considered deviations under the operating permit.

## **26. OPERATIONAL FLEXIBILITY**

The Permittee is allowed to make changes at the facility consistent with 42 U.S.C. §7401, §502(b)(10) not specifically prohibited by the permit, and in compliance with all applicable requirements, provided the Permittee gives the EPA and MassDEP written notice fifteen days prior to said change; notification is not required for exempt activities listed at 310 CMR 7.00: Appendix C(5)(h) and (i). The notice shall comply with the requirements stated at 310 CMR 7.00: Appendix C(7)(a) and will be appended to the facility's permit. The permit shield allowed for at 310 CMR 7.00: Appendix C(12) shall not apply to these changes.

## **27. MODIFICATIONS**

- (a) Administrative Amendments - The Permittee may make changes at the facility which are considered administrative amendments pursuant to 310 CMR 7.00: Appendix C(8)(a)1., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(b).
- (b) Minor Modifications - The Permittee may make changes at the facility which are considered minor modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)2., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(d).
- (c) Significant Modifications - The Permittee may make changes at the facility which are considered significant modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)3., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(c).
- (d) No permit revision shall be required, under any approved economic incentives program, marketable permits program, emission trading program and other similar programs or processes, for changes that are provided in this operating permit. A revision to the permit is not required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program under Title IV of the Act, provided that such increases do not require an operating permit revision under any other applicable requirement.

## **APPEAL CONDITIONS FOR OPERATING PERMIT**

This permit is an action of MassDEP. If you are aggrieved by this action, you may request an adjudicatory hearing within 21 days of issuance of this permit. In addition, any person who participates in any public participation process required by the Federal Clean Air Act, 42 U.S.C. §7401, §502(b)(6) or under 310 CMR 7.00: Appendix C(6), with respect to MassDEP's final action on operating permits governing air emissions, and who has standing to sue with respect to the matter pursuant to federal constitutional law, may initiate an adjudicatory hearing pursuant to Chapter 30A, and may obtain judicial review, pursuant to Chapter 30A, of a final decision therein.

If an adjudicatory hearing is requested, the facility must continue to comply with all existing federal and state applicable requirements to which the facility is currently subject, until a final decision is issued in the case or the appeal is withdrawn. During this period, the application shield shall remain in effect, and the facility shall not be in violation of the Act for operating without a permit.

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts which are the grounds for the request, and the relief sought. Additionally, the request must state why the permit is not consistent with applicable laws and regulations.

The hearing request along with a valid check payable to The Commonwealth of Massachusetts in the amount of one hundred dollars (\$100.00) must be mailed to:

The Commonwealth of Massachusetts  
Department of Environmental Protection  
P.O. Box 4062  
Boston, MA 02211

The request will be dismissed if the filing fee is not paid unless the appellant is exempt or granted a waiver as described below.

The filing fee is not required if the appellant is a city or town (or municipal agency) county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

MassDEP may waive the adjudicatory hearing filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.